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Notice of Allowability

Application No.

09/770,023

Examiner

Thu Khanh T. Nguyen

Applicant(s)

KOUDA ET AL.

Art Unit

1722

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed August 9, 2004.
2. ☒ The allowed claim(s) is/are 29-38,47 and 49-59.
3. ☒ The drawings filed on 25 January 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Allowable Subject Matter

1. Claims 29-38, 47, and 49-59 are allowed over the prior art of record.
2. The following is an examiner's statement of reasons for allowance:

Ribordy et al (5,036,581) disclose an apparatus for casing dry cell battery, comprising a rotary disk (Fig. 10, 53), a plurality of molding units (20) mounted on the rotary disk at spaced circumferential locations, wherein each of the molding units including an upper die assembly (52) and a lower die assembly (51), wherein the die assemblies include a cylindrical die, or sleeves (60, 68), a lower plunger (70) concentric with the die, an upper plunger (58), and a central pin (72) concentric with the lower plunger (70); a plurality of actuators (62, 64, 74, 76) for controlling the movement of the plungers and the central pin; a feed station (84) for loading powder material (40) into the die. The apparatus further comprises a plurality of operating units (60) provided respectively to each of the plurality of molding units (58, 68, 70, 72) and moved along a concentric path with the molding units, for transferring and positioning a case (30) above and in alignment with the die (68) of each of the molding unit; and a knock-out means (100) for removing the filled cases to a receiving system (col. 9, lines 31-33).

However, Ribordy et al fail to teach or suggest that the apparatus comprises a plurality of automatic insertion assembly stations for automatically inserting different molded pellets into a same case, and that each of the operating units comprises an operating lever (Fig. 8, 135) connected to the cam followers, a support arm (127) connected to the operating lever and rotatably supported on the rotary disk, a case holding means (126) mounted on the supporting arm, and a convey jig detachably supported on the case holding means for supporting the case.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Khanh T. Nguyen whose telephone number is 571-272-1136. The examiner can normally be reached on Monday- Friday, 6:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Benjamin L. Utech can be reached on 571-272-1137. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TN



ROBERT DAVIS
PRIMARY EXAMINER
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9/15/04